

Remarks

Claims 1-20 are pending in the application and the same are rejected. Claims 1-20 remain in the application and are presented for review and further consideration by the Examiner.

The Examiner has rejected claims 1-20 under 35 U.S.C. §103(a) as being unpatentable over Otsuka et al., U.S. Patent No. 6,201,771. (Examiner's Action, page 2, ¶ 2; page 3, ¶3; page 4, ¶4). The Examiner states that Otsuka discloses every element of each of Applicant's rejected claims except that the computer in Otsuka is not disclosed to be a mobile computer. The Examiner also states that mobile computers are well known and that it would be obvious to one skilled in the art that the computer used in Otsuka could be mobile. The Examiner further states that it would be obvious to one skilled in the art that various components of a device could be contained in an integral unit or divided into separate units assigned functions as desired.

Applicant respectfully disagrees.

The device disclosed by Otsuka is a system for allowing the public to obtain a recording medium in which desired content has been downloaded. Additionally, Otsuka discloses that the system may include a printer for providing print output. In this respect, Otsuka merely discloses a conventional computer system having a printer, wherein the computer system requires a fee to operate.

This is quite different from Applicant's invention as embodied in Applicant's independent claims 1, 8, and 15. Applicant's invention is an output apparatus for use with a mobile computer for printing a document. The document resides on the mobile computer. Payment account information is provided to the output apparatus, the document is transferred between the mobile computer and the output apparatus, the document is printed, the output apparatus determines a price, and a payment transaction is executed.

In this invention, it is necessary that the output apparatus be separate from the mobile computer, the output apparatus receive the electronic document, and the output apparatus determine the price. This provides the advantage of

allowing a user of a mobile computer to approach Applicant's output apparatus, provide payment account information to the output apparatus, transfer an electronic document to the output apparatus, and receive a printed copy of the document in exchange for payment.

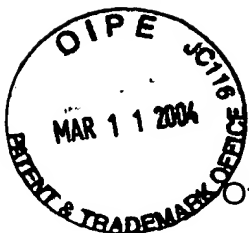
These steps are reflected very clearly in Applicant's independent claims 1, 8, and 15. These independent claims clearly require the output apparatus be separate from the mobile computer, the output apparatus accept the electronic document, and the output determine a price.

The device of Otsuka cannot accomplish this same type of transaction, even should the computer be replaced with a mobile computer. The computer of Otsuka discovers payment information, receives the electronic document, and determines the price. It is clear that the printer does not do so. Since it is the computer that achieves these steps, it cannot operate as can Applicant's output apparatus as recited in Applicant's independent claims 1, 8, and 15.

Furthermore, as specifically explained in the MPEP 706.02(j), there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference. There is no suggestion or motivation in Otsuka or generally available to one of ordinary skill in the art to modify Otsuka by replacing the computer with a mobile computer. In fact, Otsuka clearly teaches away from such a suggestion.

Otsuka discloses "a content providing system in which many unspecified people arbitrarily use it to obtain (purchase) a recording medium in which desired content has been downloaded." (Otsuka col. 1, line 67 - col. 2, line 3). As described here and throughout Otsuka, Otsuka discloses a system for providing content to the public or at least some section of the public.

Having a mobile computer in place of the computer of Otsuka would require the computer be able to be moved about and taken from place to place by someone. This is clearly not the intended use of the system of Otsuka. It is clearly the intended use of Otsuka that the computer be stationary so as to be accessible by the public. Having a mobile computer in place of the computer in



Otsuka would defeat the purpose of the system of Otsuka. Therefore, it would not be obvious to one skilled in the art to replace the computer of Otsuka with a mobile computer.

In view of Applicant's arguments with respect to independent claims 1, 8, and 15 being allowable over the cited art, Applicant respectfully submits that the remaining dependent claims are also allowable and not anticipated or made obvious because they contain all of the limitations of their respective independent claims and further add structural and functional limitations which, in combination, are not disclosed by the cited art.

The foregoing arguments are believed to be a complete response to the most recent Examiner's Action.

No new matter has been added.

It is respectfully submitted that there is no claim, teaching, motivation, or suggestion in any of the cited art, alone or in combination, to produce what Applicant claims.

It is further submitted that the application, as amended, defines patentable subject matter and that the claims are in a condition for allowance. Such allowance at an early date is respectfully requested.

Should any issues remain which would preclude the prompt disposition of this case, it is requested that the Examiner contact the undersigned practitioner by telephone.

Respectfully submitted,
Corey J. Norris

By Mark G. Pannell
Mark G. Pannell
Reg. No. 40,761

RECEIVED

MAR 16 2004

GROUP 3600

Date 7/8/04
(719) 260-7900